Miss Jane Smith, Director
Civil Archives Division
National Archives
Washington, D.C. 20408

Rt. 12, Frederick, Md. 21701
12/18/76

Dear Miss Smith,

Your dedication to the spirit and practice of the doctrine of Orwell of December 16 provides of means of making a record of which I herewith avail myself.

The simple question involving no secrecy, no exemption of the law and no work - certainly less work than this series of never-responsive letters - you refuse to answer although the matter is before a court and is dragged around in it by you for more than a half year.

You now say "this matter should be between counsel." I take it you refer to your absent counsel of the last hearing, requiring still another hearing and still another delay of weeks. Your counsel for whom the last hearing was delayed. Your counsel who showed his concern for the law and respect for the court by not appearing. By not even having the decency and consideration of phoning to say he would not be there when he had asked to be there, a matter for which I stabbed the day very early, travelled more than a hundred miles and lost still another day from my work.

"In accordance with the rules of the court" means you cannot respond to a simple question of fact? Come now. But how do you further display your concern for "the rules of the court?" By not responding to interrogatories you were directed to answer by the court, again with the lapse of a half year. If you had lived within "the rules of the court" this matter would have been resolved long ago.

You conclude that you will "continue" to "assist" me "in every way possible on other matters in which " I am "interested." Knowing this to be more self-service I take you at your word and ask that you now send me all those records I asked for and was refused when I was fresh from illness, all those released since the 1970-1 review. Now, of course, I would ask that you not include those of the 1975 review your great desires to assist required months for copying. On this your anxiety to assist is also reflected by non-response to my asking to be put in a position to specify which ones of these records I have not obtained.

You have a clear of Orwellian record of "assisting" from the time the Archives first read my published work. A decade ago it refused me records claiming an exemption that made release perpetually impossible only to solicit the use of the identical record by one certain to misuse it for propanda purpose. The most recent illustration of your Orwellian use of language is referring a request of you to another agency of which I had already made the same request and not responding to me at all. And what was the subject of that request? A record already made available to another and widely quoted from coast-to-coast in the governments continuing propagandizing on this subject of the assassination of a President. Even after the obscenity of engaging in still new deception and misrepresentation about what is the most terrible of crimes in our society, after withholding this record improperly for all the time it was suppressed, once it has misused us all the government still cannot bring itself to live within the law and you "assist" me by further stonewalling.

With this record, from this most recent illustration only, I would be ashamed to write "we will continue, however, to assist you in every possible way on other matters in which you are interested." Nothing is more obvious than that you could have responded to my most recent request for the record no longer secret by mailing it to me. You did not, you continue not to long after the time period of the Act and you write disgracefully dishonest self-serving letters to try to create a false record.

Sincerely,

Harold Weisberg